



# TOWN OF LOOMIS

## ACTION MINUTES REGULAR MEETING OF LOOMIS TOWN COUNCIL LOOMIS DEPOT

5775 HORSESHOE BAR ROAD, LOOMIS, CA 95650

www.loomis.ca.gov

**TUESDAY**

**SEPTEMBER 13, 2011**

**6:30 P.M.**

**CLOSED SESSION** – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.

- a. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One case
- b. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR:** Pursuant to Section 54956.9 of the Government Code.  
**Property:** APN 044-008-056 (Town owned property between VW Molding and Union Pacific spur rail yard) lease request Dallas Self, Loomis Propane  
**Negotiator:** Perry Beck, Town Manager  
**Under Negotiation:** price and terms
- c. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR:** Pursuant to Section 54956.9 of the Government Code.  
**Property:** APN 044-133-002, 3790 Taylor Road, Placer County owned property (currently leased to High Hand Nursery)  
**Negotiator:** Perry Beck, Town Manager  
**Under Negotiation:** price and terms

**TUESDAY**

**SEPTEMBER 13, 2011**

**7:30 P.M.**

**CALL TO ORDER** Call to order by Mayor Morillas at 7:30 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Present:

Mayor Morillas  
Councilmember Calvert  
Councilmember Liss  
Councilmember Scherer  
Councilmember Ucovich

### STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

- a. Continue negotiations.
- b. The Town does not wish to lease the property on Taylor Road for storage.
- c. Continue negotiations and bring back a contract.

### MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Calvert stated the following:

- she asked to have on next month's agenda, discussion on donations and the amounts that are available for schools
- there are some schools that need a little extra money to fund some field trips and special projects

Councilmember Ucovich asked the Finance Director if he could give a report on the next agenda on projections for the next couple of years as far as revenues and expenditures.

Councilmember Scherer stated that SACOG is releasing the new Regional Housing Needs Allocation (RHNA) methodology and preliminary numbers and he would like that put on the next agenda for discussion next month.

Councilmember Liss stated the following:

- there will be a retirement party for Perry Beck on September 28<sup>th</sup>
- the Priory Negative Declaration is coming up for review on September 16<sup>th</sup>
- Placer Sustain has developed an energy fair that will be held at the train Depot on September 20<sup>th</sup> from 5 to 8 p.m.

All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a five-minute time limit. The Mayor has the discretion of limiting the total discussion time for an item.

**Written Material Introduced Into the Record:** Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.

**PUBLIC COMMENT:** This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker may be limited to five minutes or less, at the discretion of the Mayor.

There was no public comment.

**ADOPTION OF AGENDA:** Council will typically adopt the agenda in the order listed or modify the order in a way that can best accommodate the time of people in attendance who wish to speak on particular items.

A motion was made to adopt the Agenda. On motion by Councilmember Ucovich, seconded by Councilmember Calvert and passed by voice vote.

**OPPORTUNITY TO COMMENT ON CONSENT CALENDAR:** All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

A motion was made to adopt the Consent agenda, with the amendment, pulling items 1 and 11 forward for discussion. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by voice vote.

## CONSENT AGENDA

## RECOMMENDED ACTION

- |  |                  |
|--|------------------|
| 2. Monthly Check Register – August   | RECEIVE AND FILE |
| 3 Statement of Activity  | RECEIVE AND FILE |
| 4. Treasurer's Report  | RECEIVE AND FILE |
| 5. Planning Status Report  | RECEIVE AND FILE |
| 6. 2010/11 Goals Update  | RECEIVE AND FILE |
| 7. <u>Volunteers for Eggplant Festival Booth</u><br>The Park, Recreation and Open Space Committee are seeking Volunteers to help them staff a booth at the Eggplant Festival.  | RECEIVE AND FILE |
| 8. <u>Blue Anchor Park Added Work</u><br>Due to the construction of the CCD Expo stage, some additional work at the end and along Walnut Street needed to be done for the Blue Anchor Park project such as sidewalk extensions for ADA accessibility, road way improvements and drainage improvements. | APPROVE          |
| 9. <u>PG&amp;E Rule 20 Funds</u><br>Through State law the Town receives funding for underground utility projects that are based on PG&E revenue within the Town.   | RECEIVE AND FILE |

10. Town Manager Part Time Employment

APPROVE

In the event that some time is worked in order to transition the new Town Manager it is necessary to have an employment Agreement to allow Perry Beck to work beyond September 30, 2011.

12. Second Blessings Thrift Store Appeal

SCHEDULE APPEAL  
OCTOBER 11, 2011

A Loomis resident wishes to appeal a Planning Commission decision concerning the request by the Loomis Basin Congregational Church's request to operate a thrift store on Their property.

CONSENT ITEMS FORWARDED

1. Council Minutes – 8/9/11, 8/19/11

APPROVE

Councilmember Liss asked (regarding 8/9/11 minutes) that under item 7 where he stated comments, he asked that the following be included: "On the advice of the Town Attorney he is able to proceed to vote on the project."

No public comment.

A motion was made to approve the minutes as amended. On motion by Councilmember Scherer, seconded by Councilmember Liss and passed by voice vote.

11. 2011 Summer Swim Program

RECEIVE AND FILE

An update on the Town sponsored Summer Swim program at Del Oro High School pool.

Councilmember Ucovich pointed out the following:

- the Town made money this year on the swimming lessons
- open swimming and the snack bar brought in about \$1000
- Council needs to make a decision by February if we want to pursue this program again next year
- he suggested having Councilmember Scherer meet with the Placer Unified HighSchool Board to see if they could lower the fee for the rental of the pool next year

Councilmember Scherer said he would.

No public comment.

Receive and file.

BUSINESS

13. Content, Creation and Distribution Expo Update

Peter Oakes, Loomis resident, will give an update on the Content, Creation and Distribution project that he is organizing for September 16 and 17, 2011 in Loomis

**Recommended action:** Hear presentation and give direction to staff if needed.

**Public comment:**

Perry Beck, Town Manager, stated that Peter Oakes was not able to attend but CCD Expo should be open for business on September 16<sup>th</sup> as planned.

No public comment.

14. Animal Keeping Code Revisions

Council is requested to give specific direction to the Planning Commission as to what is desired to be done with the animal keeping regulations in the Town Zoning Code and a draft ordinance can be brought forward in October

**Recommended action:** Discuss and give direction.

**Public comment:**

Sonja Cupler, 5630 Tudor Way, asked how much money the Town has spent on this item?

Perry Beck noted in the staff report it indicates that it is probably around 10,000 to 15, 000 dollars.

Kathleen Geil, 3455 Humphrey Road, stated the following:

- this has been going on for almost two years and she is glad there is some resolution coming
- she would like to clarify what she had in her letter
- she has seven neighbors touching her property, Ms. Walden has six neighbors touching her property, and the third large parcel has seven neighbors touching the property
- the three large properties have plenty of land to stay within the setbacks and not infringe on the neighbors, regarding animal keeping

Hazel Hine, 3443 Barker Road, stated the following:

- we have a zoning ordinance and a general plan that we can go by for the standards in the Town
- she asked why we have to do something new for these people
- two neighbors are not able to resolve their issues
- the person with too many animals needs to be told to get rid of some and conform to the current zoning ordinance or be fined
- any other problem between them should be between the two neighbors and not the local government
- as a taxpayer she does not want 10,000 to 15,000 tax dollars spent on something like this

Cynthia Walden, 3467 Humphrey Road, stated the following:

- she has spent a lot of money in public records requests relating to the animal keeping
- points out that a structure in the flood zone puts many at risk
- she would have probably agreed had the Town Manager not have put a time frame and a deadline on the animals

Councilmember Scherer pointed out the following:

- the conditional use permit cost is not consistent with the values of the community and needs to be addressed
- there are concerns about a legal non-conforming use
- eliminating the animals is not a solution to the problem
- the direction for the Planning Commission was to look at the larger lots and amend the code to reflect the larger lots in smaller zoning

Perry Beck, Town Manager, stated the following:

- the Planning Commission recommended changing the code to allow a few more chickens on larger lots
- Ms. Walden's permit fee was waived

Councilmember Calvert questioned if there was a grandfather issue on the zoning that was in place before the Town incorporated.

Councilmember Ucovich suggested the following:

- people get attached to their animals,
- he suggested having a non-conforming use permit to be able to have a certain number of animals at this time, and when they die not to replace them
- he doesn't want to change the ordinance

Councilmember Liss stated the following:

- the advance of funds was discussed as one option
- the intent was to send this back to staff to address the fee issue as not being consistent with the values
- large lot sizes were to be addressed
- he would like a flexible low cost system under some kind of non-conforming use, or administrative, that doesn't require a lot of work for staff to have to administer it
- there should be no health or safety impacts to the neighbors
- he would like Planning Commission to give some recommendations on this issue and staff could look into what the other cities are doing
- animals are important for Loomis and animal keeping is important for the lifestyle that we enjoy

Councilmember Scherer pointed out that there needs to be a finding that there is a health or safety condition when there is following-up on a complaint.

Mayor Morillas suggested getting comparisons from other rural cities our size.

Staff has been given direction.

#### 15. Life House Church Project Impacts On Loomis

Life House Church is a project in Placer County located along Del Mar Road just off of Sierra College Boulevard that may have impacts on Loomis

**Recommended action:** Identify possible impacts that Special Counsel, Don Mooney, should address in comments on the life House Church project

**Public comment:**

No public comment.

Councilmember Scherer stated the following:

- this project entails 100,000 square feet of building on our border
- he would like our County Supervisor to meet with us and see what role he is going to play in protecting the people he represents

Councilmember Ucovich stated the following:

- he sits on the LAFCO Board as an alternate
- Loomis is the only city in Placer County that doesn't have a sphere of influence
- we need to look into the possibility of getting a sphere of influence in order to get some control on what is coming in around us

Councilmember Liss stated the following:

- we also have the Orchard at Penryn project on our boarder, at the intersection of Penryn and Taylor Road
- citizens are organizing to go against the impact of 150 apartment units
- he agrees with looking into a sphere of influence for protection from impacts for our residents
- one of the issues for Special Counsel, Don Mooney, would be the impact on wildlife (burrowing owls)
- In other comment letters we have submitted on the Rocklin Projects there is a more comprehensive list of other related environmental and wildlife issues and asked staff to look to see if there is any similar environmental issues

Councilmember Scherer stated it was important to protect the wetlands along Antelope Creek.

Direction has been given.

16. **Swetzer and Rippey Business Park Signs**

Council asked to discuss the business park signs that were being considered last year and during the Chamber business walk in July

**Recommended action:** Discuss and give direction.

**Public comment:**

Councilmember Ucovich stated the following:

- he suggested having a sign with more empty space below so when new businesses come in they can be added
- there is no more retail on Rippey Road so we will only need a sign for Swetzer Road
- the signs on Swetzer Road should be up to the individual businesses, they can see a sample that we have than get together and pay for a sign

Councilmember Calvert suggested having more general signs with names like: sheds, nurseries, breweries, etc.

Eldon Lewis, owner of Sierra Stair on Swetzer, stated the following:

- when he brought this up a year ago, he was asking for the blue and white directional signs off the freeway
- the sign was to direct people from the freeway through town to King Road and then Swetzer Road
- he didn't care about a monument sign, just directional signs

Nancy Beck, 6304 David Avenue, stated the following:

- it's important that people coming off the freeway find the businesses they are looking for
- asking for directional signs should not be unreasonable
- regarding the Blue Goose and High Hand, they are historical buildings and should have their names on the signs
- regarding signs for the businesses, the names should be removable for businesses that are no longer there

Jean Wilson, 4301 Barton Road, stated the following:

- suggested moving forward now with the blue and white directional signs so people can find their way to the businesses on Swetzer Road
- the monument signs are not as critical

Councilmember Liss suggested the following:

- putting up the blue and white directional signs and adding the Swetzer Road Business Park
- the color on the existing signs are already fading and suggested looking at something that will last longer than a year
- we should ask the Chamber or the Mayor to send a letter to the businesses to subscribe to be on a monument sign for their business court and the businesses pay for it

Councilmember Calvert would like Blue Anchor Park added to the directional signs.

Councilmember Scherer stated the following:

- the staff report showing the directional signs and cost is exactly what was asked for
- we should take off Rippey Road and add the Blue Anchor Park
- he suggested having a survey for the businesses to see if they want an additional sign program on Swetzer Road

Following further discussion on the matter, a motion was made to authorize staff to order and place the business park directional signs at the five locations, using the signs proposed with the amendment adding Blue Anchor Park and removing Rippey Road, with the additional funds (\$275) coming out of reserves, and direct staff to refer the monument signs to come back at a later date. On motion by Councilmember Scherer, seconded by Councilmember Liss and passed by voice vote.

Councilmember Ucovich asked if Ingram Signs could use a different blue paint on the signs that would last longer.

17. **Blue Anchor Park Planning**

Councilmember Ucovich wanted an update as to what has been done at Blue Anchor Park and what is yet to be done.

**Recommended action:** Discuss and give direction.

**Public comment:**

Janet Thew, 5572 St. Francis Circle, stated the following:

- there is an alternative for the grass issue, Delta Blue Grass has a series of native blend sods
- she expounded on the native bentgrass, it is a sod, and is extremely drought tolerant
- the contractor should be required to bring in better soil prep (top soil/compost)
- the park is a central area and should be a show place where we can set a good example by saving water and less maintenance

Tom Seth, Mareta Lane, stated the following:

- this is the poorest example of workmanship he has ever seen
- the plants were wrong, the concrete surface was not done correctly, the light fixture was done incorrectly, rocks were put in the play area
- a lot of money was paid for all of these mistakes and sloppy work

Jean Wilson stated the following:

- she thanked Councilmember Ucovich for asking for the report on the work that has been done at the Blue Anchor Park
- they should have put in a lot more plants, they switched plants and put in one gallon plants instead of five gallon plants
- the contractor needs to correct what has been done wrong

Hazel Hine, 3443 Barker Road, stated the following:

- she has 55 years of gardening experience
- most of the plants put in should have been planted in higher elevation or in the shade
- there is no mulch put in to help with the drainage
- there needs to be more landscaping to cool the concrete and asphalt at the park
- she volunteered to help if the Town needs it

Nancy Beck, 6304 David Avenue, stated the following:

- she agrees with Janet Thew, to use Bentgrass
- there are several young mothers with strollers that enjoy walking in the park regularly and have said that the buffalo grass is not children friendly

Council agreed to have Councilmember Ucovich and Planning Commissioner Thew report back to staff on what type of grass needs to replace the buffalo grass that was planted.

Following further discussion on the matter, a motion was made to direct staff to not release funds until Council has signed off on completion of the punch list. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

## COMMITTEE REPORTS

18. Placer County Community Services Commission - Calvert
19. Placer County Economic Development Commission - Liss
20. Placer County Flood Control/Water Conservation District - Morillas
21. Placer County Transportation Planning Agency - Ucovich
22. Placer County Mosquito Abatement - Kelley as citizen rep
23. Placer County Air Pollution Control District - Ucovich/Morillas
24. Local Agency Formation Commission (alternate) - Ucovich
25. Sacramento Area Council of Governments - Scherer/Liss
26. Placer Land Trust ex-officio representative - Scherer
27. Borders Committee - Morillas/Liss
28. Business Committee - Morillas/Calvert

## ADJOURNMENT

Mayor Morillas stated there was no further business and adjourned at 10:03 p.m.

  
Mayor

  
Town Clerk